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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/976,632	10/12/2001	Douglas P. Brown	10149	1656

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EXAMINER

WOO, ISAAC M

ART UNIT	PAPER NUMBER
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2162

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/976,632

Applicant(s)

BROWN ET AL.

Examiner

Isaac M. Woo

Art Unit

2162

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 May 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to Applicant's Amendments on May 06, 2005 have been considered but are not persuasive.

2. Claim 1 is amended. Claims 1-33 are presented for examination for this office action.

Response to arguments

3. In response to Applicant's Remarks filed on May 06, 2005, the following factual arguments are noted:

Bertram et al (U.S. Patent No. 6,369,820) does not disclose or suggest, "accessing database demographic information stored in a database system and displaying that information in graphical format".

However, examiner disagrees. Bertram discloses, "Applications allow a user to query each system 10 and 22-40 and receive information relating to each system's monitors. Typically, each system 10 and 22-40 saves data for the monitor at specific time periods. When the user requests data for a monitor, the system 10 and 22-40 provide the data that has been saved to the user's system 10", see (col. 3, lines 39-46). And Bertram discloses, "Once the data relating to the monitors are received, a user such as a network administrator typically desires to view the data on the display 18.

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One way of displaying this data is in the form of a graph of the monitor versus time. Thus, values of the monitor are typically the ordinate values while time is typically the parameter used for the abscissa. Some applications allow a user to plot the monitor versus time for a single system. In the context of this application, "plotting" refers to graphically providing a value to the display 18. The user may wish to view trends in systems 10 and 22-40. Thus, some conventional applications may allow plots to be made for the monitor of several systems 10 and 22-40", see (col. 3, lines 47-58). "Application allow a user to query" teaches that user accessing the database (where the monitored data is saved). When the user requests data saved on database of the user's system to view, the system displaying the monitored data (demographic information) in the form of graph. Thus, Bertram discloses, accessing database demographic information stored in a database system and displaying that information in graphical format.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Bertram et al (U.S. Patent No. 6,369,820, hereinafter, "Bertram").

With respect to claim 1, Bertram discloses, providing a graphical user interface screen, see (14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface screen (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (col. 3, lines 39-46) and displaying that information in graphical format displaying the database (CPU) demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 2, Bertram discloses, displaying the database demographics information in text format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 3, Bertram discloses, displaying the database demographics information in a format different from a text format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

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With respect to claim 4, Bertram discloses, interface to access the database demographic information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 5, Bertram discloses, application program interface to depict database demographics information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, col. 3, lines 39-46).

With respect to claim 6, Bertram discloses, storing database demographics information in a database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 7, Bertram discloses, storing file database demographics information in a query capture database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 8, Bertram discloses, displaying the database demographics information on a per-access module basis, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, col. 3, lines 39-46).

With respect to claim 9, Bertram discloses, displaying in at least one of a bar chart format and a line graph format, see (col. 3, lines 19-57).

With respect to claims 10, Bertram discloses, displaying storage system utilization, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claims 11, Bertram discloses, displaying storage system statistics information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claim 12, Bertram discloses, displaying the storage system utilization associate with each access module, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claim 13, Bertram discloses, displaying row count of a portion of the table, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 14, Bertram discloses, average row size, see (col. 3, lines 19-57).

With respect to claim 15, Bertram discloses, distribution of the number of blocks with each access module, see (col. 3, lines 19-57).

With respect to claim 16, Bertram discloses, pool space utilization, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 17, Bertram discloses, receive indication of a selection of an item in a user interface screen, see (14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface screen (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (col. 3, lines 39-46) and displaying that information in graphical format displaying the database (CPU) demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 18, Bertram discloses, receive the indication of the selection in a graphical user interface to provide the database demographics information for display in text view, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

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With respect to claim 19, Bertram discloses, receive the indication of the selection in a graphical user interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 20, Bertram discloses, the database demographics information for display in text view, see (col. 3, lines 19-57).

With respect to claim 21, Bertram discloses, interface between an application and the database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 22, Bertram discloses, interface as application interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 23, Bertram discloses, interface as application program interface, see (fig. 4A-B, col. 8, lines 51-67, col. 3, lines 39-46).

With respect to claim 24, Bertram discloses, to display the database demographic information on a per-access module basis, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 25, Bertram discloses, database demographics information in at least one of a chart format and a line mph format, see (fig. 6, col. 10, lines 1-21).

With respect to claim 26, Bertram discloses, database demographic information containing storage system utilization, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 27, Bertram discloses, demographic information containing statistics information, see (fig. 4A-B, col. 8, lines 51-67, col. 3, lines 39-46).

With respect to claim 28, Bertram discloses, storage system utilization associated with each access module, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 29, Bertram discloses, row count of a portion of the table store by each of the access modules, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

With respect to claim 30, Bertram discloses, average row size of rows of the portion of the table stored by each of the access modules, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 31, Bertram discloses, distribution of a number of blocks on each access module, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

With respect to claim 32, Bertram discloses, first interface to a database system (col. 3, lines 26-35, 14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (col. 3, lines 39-46) and to display the database demographic information in graphical format displaying the database (CPU) demographics information in graphical format in the user interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 33, Bertram discloses, graphical user interface screen to display dm database demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

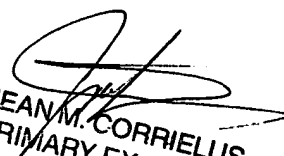
Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

IMW
July 1, 2005


JEAN M. CORRIELUS
PRIMARY EXAMINER